

PATENT

Attorney Docket No. LRM-36143-A-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

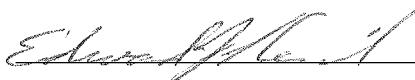
In re Application of : Henry William Lupton  
Serial No. : 10/590,866  
Filing Date : September 19, 2006  
For : Guidewire for Use in Re-Canalising a Vascular  
Confirmation No. : 8975  
Group Art Unit : 3736  
Examiner : SMITH, Fangemonique A.

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**CERTIFICATION UNDER 37 CFR 1.8(a) and 1.10**

I hereby certify that, on the date shown below, this correspondence is being transmitted via the Patent Electronic Filing System (EFS) addressed to the U.S. Patent and Trademark Office.

Date: 27, 2011



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Commissioner for Patents (via EFS)  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Confirmation of 2/7/2011 Examiner Hoekstra Voicemail**

Dear Sir:

This is to confirm the substance of a voice mail message received by the undersigned from Examiner Jeff Hoekstra at 9:24 AM on 2/7/2011 in response to the undersigned's call thereto at 7:35 AM on 2/7/2011. Specifically, Examiner Hoekstra confirmed the PTO's position that;

- a. An Office Action had been prepared and was forthcoming<sup>1</sup>; and
- b. That the application was "not going to go abandoned or anything like that, so that I [i.e., Ex. Hoekstra] think that that will obviate all the issues with having to petition to revive and things like that."

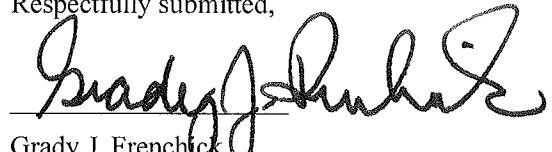
Applicant will rely upon those representations and adopt the procedural position that the 8-05-2010 Final Rejection was withdrawn by the 10-21-2010 Advisory Action in which it was indicated in paragraph 13 that "another Office Action is forthcoming."

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<sup>1</sup> Indicated on public PAIR "Status" as "'Final Rejection' counted, not yet mailed"

Dated: Feb. 7, 2011

Respectfully submitted,



Grady J. Frenchick

Registration No.: 29,018

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